



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/513,040	02/25/2000	Jianzhong Jiao	98,766	7630

20306 7590 09/19/2002

MCDONNELL BOEHNEN HULBERT & BERGHOFF
300 SOUTH WACKER DRIVE
SUITE 3200
CHICAGO, IL 60606

EXAMINER

CHOI, JACOB Y

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 09/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/513,040

Applicant(s)

JIAO ET AL.

Examiner

Jacob Y Choi

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10, 11, 14, 15 and 17-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10, 11, 14, 15 and 17-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 August 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 30 August 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-8,10,14,15 and 17-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Ishikawa (USPN 5,584,572).

Regarding claim 1, Ishikawa discloses a reflector portion extending from a first surface end of a second surface end, the reflector portion positioned on either side of an elongated tubular light source (cylindrical Xenon tube), the reflector portion reflecting light emanating from the elongated tubular light source towards an aperture (18a) of the tubular reflector, and a semicircular reflector (18) having a smooth reflective surface, the semi-circular reflector coupled to the first surface end of the reflector portion so that light emanating from the elongated tubular light source is reflected off of the semi-circular reflector and re-directed from the light source towards the aperture of the tubular reflector (Figure 1-9).

Regarding claim 2, Ishikawa discloses the reflector portion is a semi-elliptical reflector.

Regarding claim 3, Ishikawa discloses a lens means coupled to the semi-circular reflector, the lens means processing the reflected light (26).

Regarding claim 4, Ishikawa discloses a reflective surface disposed on the smooth semi-circular surface.

Regarding claim 5, Ishikawa discloses a reflective surface disposed on the semi-circular reflector.

Regarding claim 6, Ishikawa discloses the reflective finish disposed on the semi-circular reflector is essentially the same as a reflective finish disposed on the semi-circular surface (Figures 1-9).

Regarding claim 7, Ishikawa disclose a semi-circular reflector having an elongated tubular light source mounted in the semi-circular reflector, the semi-circular reflector reflecting light emanating from the elongated tubular light source, and a multi-faceted reflector (22, 22a, 24, 24a) coupled to the semi-circular reflector (20, 20a), the multi-faceted reflector having an least two facets positioned at angles to one another so that light emanating from the elongated tubular light source is reflected away from the light source (Figures 1-9).

Regarding claim 8, Ishikawa discloses a lens means (26) coupled to the multi-faceted reflector, the lens means received and processes the reflected light.

Regarding claim 9, Ishikawa discloses the securing mean for securing the reflector to the lens means (Figure 7-9).

Regarding claim 10, Ishikawa discloses the securing means is provided to the reflector (Figure 7).

Regarding claim 14, Ishikawa discloses a housing portion (12) having an interior reflecting surface, a first reflective finish disposed on the interior reflecting surface, a reflector portion coupled to the interior reflecting surface, an elongated tubular light source mounted in the semi-circular reflector portion, the semicircular reflector portion formed around the elongated tubular light source, a second reflective finish disposed on the semi-circular reflector portions, and a lens portion (26) coupled to the housing portion, such that the reflective finish reflects light from the elongated tubular light source towards the lens portion.

Regarding claim 15, Ishikawa discloses the interior reflecting surface comprises a plurality of facets (22, 22a, 24, 24a).

Regarding claim 17, Ishikawa discloses the plurality of facets are arranged in a stepwise orientation (Figures 1-9).

Regarding claim 18, Ishikawa discloses each facet of the plurality of facets has a similar reflective finish.

Regarding claim 19, Ishikawa discloses the reflector is semi-circular (near the light source).

Regarding claim 20, Ishikawa disclose the reflector is semi-elliptical (front portions of the light source).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2875

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nederpel et al. (USPN 5,735,595) in view of Ishikawa (USPN 5,584,572).

Regarding claim 11, Nederpel et al. discloses the tubular reflector (12) is a vehicle stop lamp. Ishikawa teaches that it is known to modify the reflector as a semi-circular reflector with an elongated tubular light source mounted in the semi-circular reflector, the semi-circular reflector reflecting light emanating from the elongated tubular light source, and a multi-faceted reflector coupled to the semi-circular reflector, the multi-faceted reflector having at least two facets positioned at angles to one another so that light emanating from the elongated tubular light source is reflected away from the light source. It would have been obvious in the one skilled in the art at the time the invention was made to combine certain reflector structure to a vehicle stop lamp, since Nederpel et al. teaches that it is known in art to have a reflector and it is necessary structure in vehicle lamp device.

Response to Amendment

5. Examiner acknowledges that the applicant has Trice amended claims 1, 7 & 14. Applicant's declaration pursuant to 37 C.F.R. 1.131 was sufficient evidence to show reduction of practice to overcome filing date of USPN 6,168,293 based on telephonic interview on July 29, 2002.

Response to Arguments

6. Applicant's arguments filed 08/30/2002 have been fully considered but they are not persuasive.

Applicant's arguments with respect to claim 1-8,10,11,14,15 and 17-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sakurai (USPN 5,641,218) – optical panel for use in flashing device

Hasushita et al. (USPN 5,195,814) – strobe unit

Shemitz et al. (USPN 4,218,727) – luminaire


Arai (USPN 5,055,976) – strobe-flashing device

Lee et al. (USPN 5,479,328) – high-brightness, high efficacy back light

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Y Choi whose telephone number is (703) 308-4792. The examiner can normally be reached on Monday-Friday (9:30-6:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (703) 305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7724 for regular communications and (703) 308-8303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-7724.



THOMAS M. SEMBER
PRIMARY EXAMINER

JC
September 12, 2002